

Hon. Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

LAUREL PARK COMMUNITY, LLC, a Washington
limited liability company; TUMWATER ESTATES
INVESTORS, a California limited partnership;
VELKOMMEN MOBILE PARK, LLC, a Washington
limited liability company; and MANUFACTURED
HOUSING COMMUNITIES OF WASHINGTON, a
Washington non-profit corporation,

Plaintiffs,

vs.

CITY OF TUMWATER, a municipal corporation,

Defendant.

NO. C09-5312 BHS

**DEFENDANT CITY OF
TUMWATER'S REPLY IN
SUPPORT OF AMENDED
MOTION FOR SUMMARY
JUDGMENT**

Defendant City of Tumwater did not receive any response to its Amended Motion for Summary Judgment (Dkt.58), filed in this matter on March 4, 2011. Plaintiffs' Response was due on Monday, March 28, 2011 under LCR 7(d)(3). The failure of a party to file papers in opposition to a motion may be considered by the Court as an admission that the motion has merit pursuant to LCR 7(b)(2).

If the court treats Plaintiffs' Supplemental Motion for Summary Judgment (Dkt. 60), also filed on March 4, 2011, as a response to the City's Motion for Summary Judgment, please see the Defendant's Response to Plaintiffs' Supplemental Motion for Summary Judgment, which was timely filed on Monday, March 28, 2011.

1 Dated this 31st day of March, 2011.

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3 LAW, LYMAN, DANIEL,
4 KAMERRER & BOGDANOVICH, P.S.

5 /s/ Jeffrey S. Myers,
Jeffrey S. Myers, WSBA #16390

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